

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18912 of 2004

Between:

Sri Sangamesh,

S/o Shivayogeppa,
R/o Holegal,

B.Bagewadi (Taluk)

Bijapur Distict,

Karnataka State

..... PETITIONER

AND

1 The Additional Secreatry-cum-R.T.O.,

Regional Transport Authority,
Nandyal,

Kurnool District.

2 Motor Vehicle Inspector,

Regional Transport Authority,
Nandyal,

Kurnool District.

3 The Secretary,

Regional Transport Officer,
Bijapur District,

Karnataka State.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, or order or direction one in the nature of Mandamus declaring the action of the Respondents in not releasing and in seizing and detaining the vehicle bearing NO.KA 28 MA 6309 under Check report No.0252339 dt. 15/09/2004 as illegal, arbitrary, unjust consequently direct the respondent to release the vehicle.

Counsel for the Petitioner: Mr. K.MADHAVA REDDY

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the stage of admission made the following:

The petitioner's vehicle was seized under a check report dated 15-9-2004 on the ground of certain irregularities mentioned in the check report. The petitioner contends that when he made a representation to the 1st respondent for release of the vehicle for interim custody, no orders have been passed. The petitioner, therefore, approached this Court seeking a direction to the 1st respondent to release the vehicle. The matter is pending consideration before the 1st respondent. The vehicle is likely to be damaged.

The respondents are therefore directed to release the vehicle of the petitioner for interim custody on condition of his depositing Rs.10,000/-(rupees ten thousand only) and on the further following conditions:

1. The petitioner shall not transfer the vehicle
to any other person, without the permission
of the first respondent;
2. He shall produce the vehicle as and when
required by the concerned authorities.

The Writ Petition is accordingly disposed of.

(Dr. G.YETHIRAJULU,J)

13th October, 2004.

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To

1 The Additional Secreatry-cum-R.T.O.,

Regional Transport Authority,
Nandyal,

Kurnool District.

2 Motor Vehicle Inspector,

Regional Transport Authority,
Nandyal,

Kurnool District.

3 The Secretary,

Regional Transport Officer,
Bijapur District,

Karnataka State.

4. Two CCS to the GP for transport, High Court of A.P.,

Hyderabad (O.U.T.)

5. Two CD Copies.